



Welcome to our Newsletter!

[AEC Web Site](#)

July 05, 2012

Attend the AEC's Next Meeting!

The Annapolis Environmental Commission's (AEC) meetings are open to the public. We hope you'll join our upcoming discussion about environmental issues facing our city on Wednesday, July 18, 2012 at 6:00 p.m. in the third floor conference room at 145 Gorman Street, Annapolis, MD 21401. We are meeting earlier than normal so that the AEC, as well as any interested readers, can attend the continuation of the Board of Appeals hearing scheduled that same night.

Update on the Reserve at Quiet Waters:

Board of Appeals will hold its final RQW hearing on July 18, 2012 at 7:00pm in the City Council Chambers. No public testimony will be allowed at this hearing. However, written testimony can be submitted until July 17th. Submissions should be directed to boards@annapolis.gov and Tom Smith in the Planning and Zoning Department at 145 Gorman Street, Annapolis 21401 or ets@annapolis.gov.

At the last hearing residents of Hunt Meadows, Beechwood Hills, Hillsmere, Fairwinds, Friends of Quiet Waters and others directly impacted by the proposed development testified that for many and diverse reasons, that the Board of Appeals NOT approve RQW. The hearing was heated at times with several citizens chastised for not knowing the law regarding the hearing process. The AEC and Public were not allowed to address the Forest Conservation Act nor respond to testimony provided by the City and Developer experts regarding the Forest Conservation Act. As of this date, there is no forum or date set to hear the Forest issues, despite being informed at the first Board of Appeals hearing on April 18, 2012 that there would be a date set by the Building Board of Appeals.

Crystal Spring:

To date, the developers for CS have not submitted an application for review to the City's Planning & Zoning Department. They have held many public meetings with various organizations many of which have been left with the impression that the development is almost through the planning review process. The AEC has made recommendation that the developer follow the City's Comprehensive Plan and concentrate the development at the top half of the property, closest to Forest Drive. This would allow for the planned

retail, commercial office space, assisted living and townhomes, but preserve the City's valuable natural resources on site including, nontidal wetlands, vernal pool and Priority Forest. Consultation with respected Smart Growth planners has confirmed that such a development would be the model of smart growth the Mayor has repeatedly said he will expect to see for this project. With the active support and participation of the Annapolis community, the AEC will continue to provide him with well founded reason to bring that goal to fruition.

Forest Conservation Act Working Group Established

The Mayor has created a Forest Conservation Act Working Group. Appointed on June 21st, this seven member group, which includes the AEC's chairperson, Diane Butler, is tasked with broadly reviewing the City's Code, policies, and procedures pertaining to forest conservation. The Working Group is charged with reporting its recommendations to the Mayor and City Council within 90 days of its appointment.

City's Proposed Criteria for building in Priority Forest - Modifying Forest Conservation Act

As a result of efforts by the AEC and neighborhood groups to get the city to strengthen its implementation of the state Forest Conservation Act, as well as input from the Maryland Department of Natural Resources, city officials have drafted new criteria to spell out when a developer can cut down "priority" forests. Previously, city officials used their own judgment and interpretation of the Act to determine if a builder had sufficient reason to clear those woodlands. As this newsletter goes to press the AEC is still evaluating the draft written criteria. The city has left in language we feel is a significant loophole to continue to allow cutting down of large portions of forests on development tracts and counter to its stated goal of creating certainty for developers by removing discretionary items, has done the opposite. Meanwhile, the new criteria also seeks to remove "nontidal wetlands" from the definition of Priority Forest, which will substantially weaken the city's Forest Conservation Program. The Mayor has promised that the forest working group (above) will be able to further amend the draft policy, and the AEC will continue to push during those meetings for the strongest possible final document.

On July 02, the City released its new, revised FCA Development Review Criteria. The new Criteria is now available on the [City's FCA Criteria page](#).

News on Statewide Pollution Reduction Efforts

The next few weeks and months will be critical times for people to express their views on several important statewide pollution reduction efforts. The state is taking comment on proposed new regulations and permits which could have enormous impacts on the quality of our creeks, rivers and the Chesapeake Bay. We urge you to get involved.

On June 1 the Maryland Department of Environment (MDE) issued a proposed regulation that says any new homes built with septic systems must use the best available technology, or BAT, for that system. That's great news, especially for a place such as Anne Arundel County where so much new development uses septs.

A conventional septic system is really a 19th Century technology. A home on such a system discharges up to 10 times more nutrient pollution than a home hooked up to one of the upgraded sewer systems that eliminates all but a fraction of the nutrients in the waste before discharging into a creek or river. The best idea would be to build near existing communities with good wastewater treatment, but if you must have a septic why shouldn't it be the best there is? It costs more, sure, so builders and some local governments are fighting this rule (what else is new) but it's still far less than a homeowner on a sewer line pays. And when you think about, asking a builder to use quality waste disposal systems is no different than using fire and building codes which require them to use top quality building materials.

You can read the whole draft regulation [here](#).

The public comment period for this regulation is set to expire July 15. The address is:

Mr. Jay Prager
Deputy Program Administrator
Water Management Administration
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230-1708
jprager@mde.state.md.us
(phone) [410.537.3780](tel:410.537.3780)
(fax) [410.537.3163](tel:410.537.3163)

A second regulation proposed is aimed at farmers who spread manure or sewage sludge (biosolids) on their fields. That's not the problem, per se. It's when and how you spread the waste. The regulations would, for instance, prohibit application of nutrients such as contained in manure and biosolids during the winter when fields are generally without crops or the crops aren't taking up and using nutrients as they would in the growing season. Currently, a chicken or dairy farmer can keep spreading his manure all winter long on his crop fields. Much of the nutrient content of the waste simply washes into nearby creeks.

However, the draft of this regulation needs improvement. To try to accommodate farmers and local governments that need a place to get rid of their manure and sewage sludge, MDE has postponed implementation of the regulations till 2016. That would give farmers and towns time to build storage sheds where waste could be stored until spring. But that implementation date still seems a long time off, and perhaps could be moved to 2014. There are other ways the regs could be improved.

Agriculture produces about 39 percent of the nitrogen pollution around the Bay, and half of that comes from the farm fields which to date haven't been regulated very much compared to other sources of pollution like wastewater plants, stormwater systems, etc.

To read the proposed regulations online visit the Maryland Register [here](#) or MDA's website [here](#).

Comments on this proposed regulation will be accepted through Aug. 13, and may be sent to:

Jo Mercer, Ed.D.
Program Manager
MDA's Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway, Annapolis, MD 21401

or emailed jo.mercer@maryland.gov, or fax to [\(410\) 841-5950](tel:(410)841-5950).

Additionally, the Joint Committee on Administrative, Executive, and Legislative Review (AELR Committee) will hold a public hearing on Tuesday, July 10, to consider the proposed BAT and nutrient management regulations. The hearing will start at 2:00 PM and will take place in the Joint Hearing Room, Legislative Services Building, 90 State Circle, Annapolis, Maryland 21401.

Written or emailed comments to the committee should be addressed to the AELR Committee Chairs and copied to [AELR Committee Chairs](#) and may be copied to AELR Committee members. Copies should also be sent to the two Legislative Services staff members, Mr. Isaacson and Ms. Razulis, listed in the previous paragraph. The Maryland Department of Agriculture (MDA) also will host a series of public meetings across the state to provide information to farmers, environmental interests, local governments and other stakeholders on proposed changes to Maryland's Nutrient Management Regulations and offer an opportunity for public comment.

MDA will hold public meetings in four locations around the state next month. All meetings will be held from 7:00 p.m. to 9:00 p.m. For more information, contact the Nutrient Management Program at [410-841-5959](tel:410-841-5959).

Events Calendar

Continuation of the Board of Appeals Hearing - Wednesday, July 18, 2012

Join the AEC at the City Council Chambers at 7:00 p.m. for the hearing on the Reserve at Quiet Waters. This is the final hearing for the Reserve at Quiet Waters at the Board of Appeals.

Composting Workshop with Master Gardeners - Wednesday, July 25, 2012

Come to Quiet Waters Park and attend a training session given by Master Gardeners and receive a free composting bin and goody bag while supplies last. Click [here](#) for more information. 11:00am-12:00pm.

Did you know that Sustainable Annapolis is on Facebook?
Follow [this link](#).

Attend the AEC's Next Meeting!

***July 18, 6:00 p.m.
145 Gorman Street, 3rd floor conference room***

*The AEC is an independent board consisting of nine City residents who are appointed by the Mayor and confirmed by the Aldermen to be concerned with the protection and improvement of the natural health and welfare of the environment.
The views portrayed by the AEC are not necessarily shared by the City of Annapolis, staff or elected officials.*

www.annapolis.gov/environment
Email: environment@annapolis.gov